

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Paglioni & Associates, Inc.,

Plaintiff,

Case No. 2:06-cv-276

v.

JUDGE GRAHAM

WinnerComm, Inc.,

Defendant.

ORDER

Defendant WinnerComm, Inc.'s Motion (Doc. 9) to Dismiss Plaintiff's Complaint (Doc. 2) is MOOT in light of Plaintiff's Amended Complaint (Doc. 17). This ruling is not intended to, and does not, address the merits of Defendant's Motion. The Clerk is instructed to remove this Motion from the Court's pending motions list.

It is so ORDERED.

s/James L. Graham

JAMES L. GRAHAM

United States District Judge

DATE: November 2, 2006